

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

HEALTH & BEAUTY TECHNOLOGIES, )  
INC and MEDI-BUILD )  
INTERNATIONAL, CORP. )  
Plaintiffs, )

v. )

MERZ PHARMA GmbH KgaA and )  
MERZ NORTH AMERICA, INC. )  
Defendants. )

**JUDGMENT**

No. 7:18-CV-117-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of defendant Merz North America, Inc.'s motion to dismiss for failure to state a claim and Merz Pharma GmbH KgaA's motion to dismiss for lack of personal jurisdiction.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered September 26, 2019, and for the reasons set forth more specifically therein, defendant Merz Pharma's motion to dismiss for lack of personal jurisdiction is **DENIED** and defendant Merz NA's motion to dismiss for failure to state a claim, in which Merz Pharma joins, is **GRANTED**. Plaintiff's complaint is **DISMISSED WITH PREJUDICE**.

**This Judgment Filed and Entered on September 26, 2019, and Copies To:**

Christopher S. Edwards / Donalt J. Eglinton / John A. Moore / Aaron W. Tandy (via CM/ECF Notice of Electronic Filing)

Michael Neil Kreitzer / Michael E. Strauch / Pamela J. Butler / Henry L. Kitchin, Jr. / Lori P. Lustrin / James J. Ward (via CM/ECF Notice of Electronic Filing)

September 26, 2019

PETER A. MOORE, JR., CLERK

/s/ Sandra K. Collins  
(By) Sandra K. Collins, Deputy Clerk